

Community Land & Water Coalition

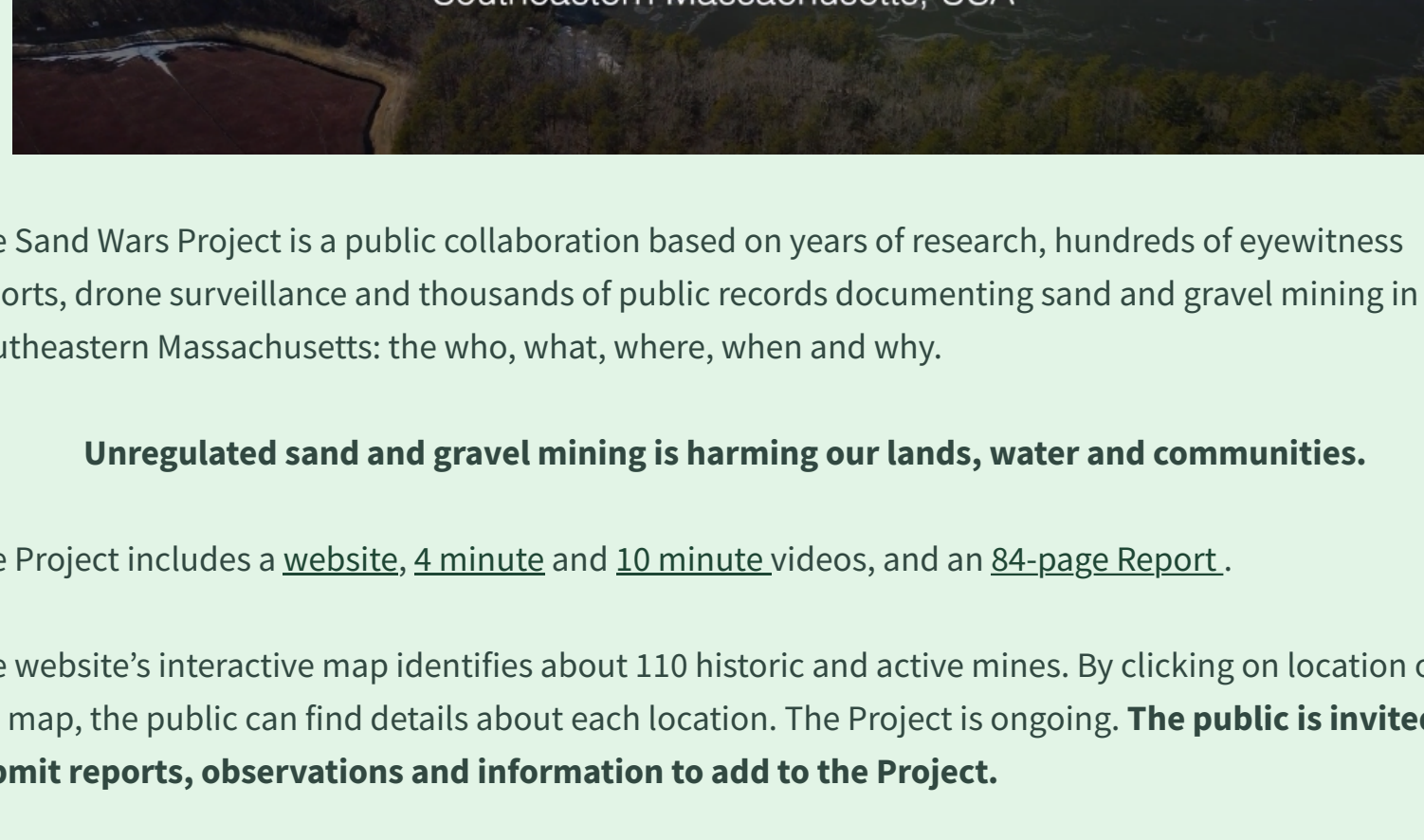


SAND WARS IN CRANBERRY COUNTRY EDITION VOLUME 6

CLWC launches interactive multimedia project on sand mining!

Sand Wars in Cranberry Country

An investigation into the money, politics and corruption behind sand mining and the silent environmental crisis in Southeastern Massachusetts



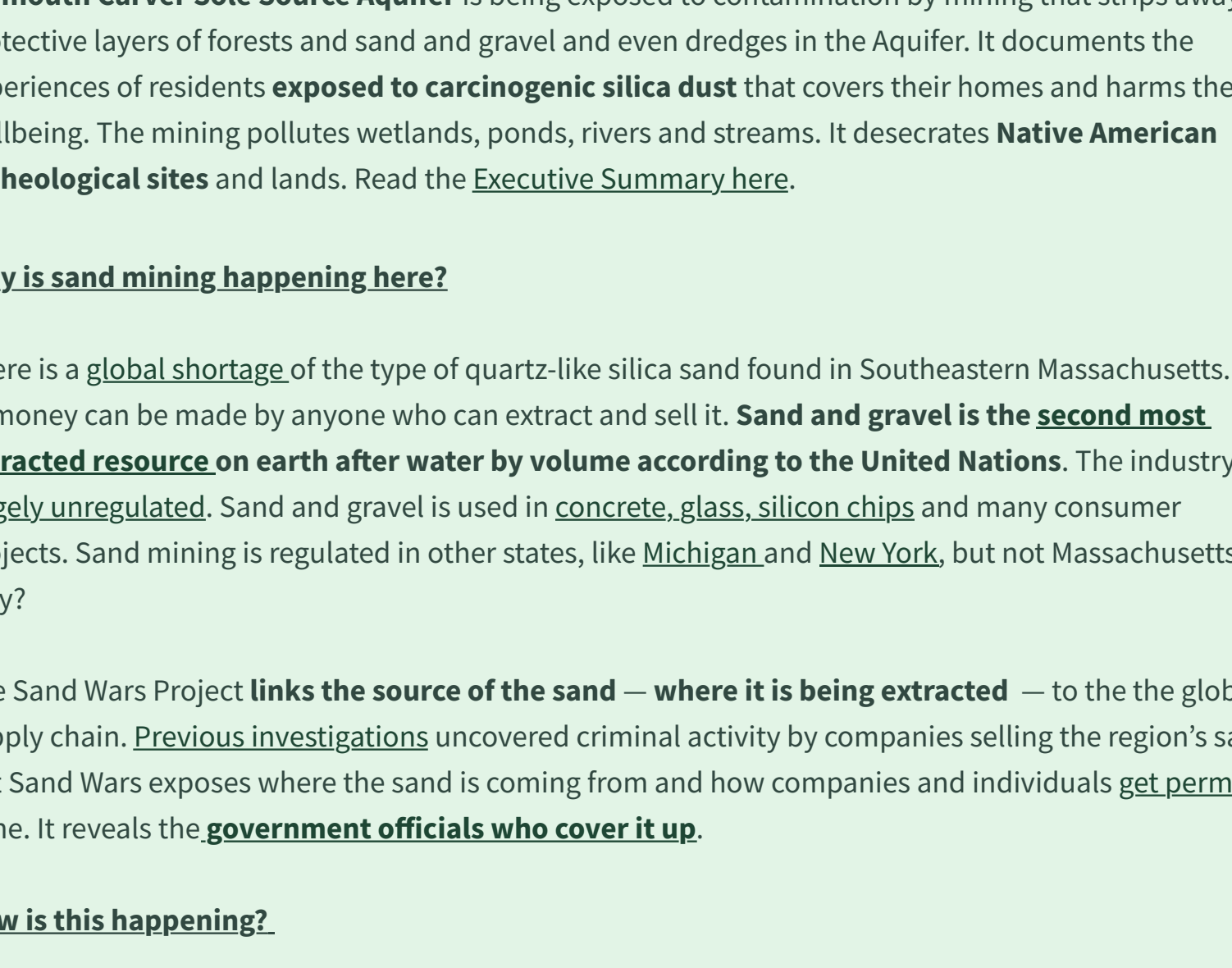
The Sand Wars Project is a public collaboration based on years of research, hundreds of eyewitness reports, drone surveillance and thousands of public records documenting sand and gravel mining in Southeastern Massachusetts: the who, what, where, when and why.

Unregulated sand and gravel mining is harming our lands, water and communities.

The Project includes a [website](#), [4 minute](#) and [10 minute](#) videos, and an [84-page Report](#).

The website's interactive map identifies about 110 historic and active mines. By clicking on location on the map, the public can find details about each location. The Project is ongoing. **The public is invited to submit reports, observations and information to add to the Project.**

Below: Map from the Sand Wars website www.sandwarsoutheasternma.org



The Sand Wars 86-page [Report](#) explains the law, science and environmental impacts. It shows how the **Plymouth Carver Sole Source Aquifer** is being exposed to contamination by mining that strips away protective layers of forests and sand and gravel and even dredges in the Aquifer. It documents the experiences of residents **exposed to carcinogenic silica dust** that covers their homes and harms their wellbeing. The mining pollutes wetlands, ponds, rivers and streams. It desecrates **Native American archeological sites** and lands. Read the [Executive Summary](#) [here](#).

Why is sand mining happening here?

There is a **global shortage** of the type of quartz-like silica sand found in Southeastern Massachusetts. A lot of money can be made by anyone who can extract and sell it. **Sand and gravel is the second most extracted resource on earth after water by volume according to the United Nations.** The industry is largely unregulated. Sand and gravel is used in **concrete, glass, silicon chips** and many consumer projects. Sand mining is regulated in other states, like [Michigan](#) and [New York](#), but not Massachusetts. Why?

The Sand Wars Project **links the source of the sand – where it is being extracted** – to the global supply chain. [Previous investigations](#) uncovered criminal activity by companies selling the region's sand – but Sand Wars exposes where the sand is coming from and how companies and individuals **get permits** to mine. It reveals the **government officials who cover it up**.

How is this happening?

The Sand Wars Project relies on government documents to show who is **issuing permits and approvals** for mining operations that are prohibited or should at least be strictly regulated. Some officials give themselves and their families permits. **The evidence implies the industry operates like a cartel with government officials providing protection via illegal permits and lack of enforcement.** They give permits to operations that do not qualify for them and then permits are **never enforced**. Regulators ignore the public's credible, documented reports of violations year after year.

Who is doing this?

At **least 70% of the mining companies claim it is "cranberry agriculture."** The remaining 30% claim it is **"normal land development."** Common sense and what's **visible to the naked eye** reveals this is neither cranberry agriculture nor normal land development but commercial mining.

The state's **Department of Environmental Protection (DEP)** allows mining operations to evade wetlands, water and air pollution laws. The state's **highest environmental and law enforcement officials** refuse to act **despite years of public requests**.

Powerful political lobby

The mines sell most of the sand and gravel to the **construction industry for concrete and asphalt.** The construction industry has a powerful political lobby – and a history of **criminal activity, fraud and corruption.** The state's **Office of Inspector General** is investigating the industry and the government officials involved.

Sand supply chains and crime

The Sand Wars Project links the **construction industry to mining operators.** One of the largest is [P.A. Landers Inc.](#), a trucking and concrete business. In 2007, the company's officials were **"convicted of defrauding** the government of hundreds of thousands of dollars by over-billing for asphalt on several road projects." The president served time in federal prison. A state official took [bribe](#) from P.A. Landers to look the other way on construction jobs. Yet, Landers got \$4.4 million in stimulus funds in 2009 **despite the criminal convictions**.

A 2009 [WBUR article](#) explains that construction industry contractors convicted of crimes were then paid taxpayer money under public contracts they could use to pay their fines. To supply its business, P.A. Landers went to the **Plymouth Zoning Board of Appeals** and got a **string of permits from 2001 to 2017** to mine sand and gravel under the claim of "cranberry agriculture." The company still operates today, hauling a good portion of the sand and gravel documented by the Sand Wars Project.

The Town of **Carver Earth Removal Committee** has given dozens of **earth removal permits to cranberry companies like Wareham-based A.D. Makepeace Cranberry Co.** Makepeace claims to be the world's largest cranberry grower and the state's largest landowner. In Carver, **Makepeace operates Red Custom Soils, reported to be the largest aggregate mining and distribution facility** in the Northeast U.S. Makepeace sources sand and gravel from its vast land holdings claiming the mining is cranberry agriculture. The company uses 62 independent trucks and supplies at **least 12 asphalt and concrete manufacturers.**

Who's protecting who? Corruption?

The Sand Wars Project questions **why state agencies are allowing destructive mining and failing to protect the public health and the environment.** The construction and cranberry industries **close ties to politicians** may be the answer. Since 2020, the state **Department of Agricultural Resources** has awarded at least \$4 million in taxpayer funds for "cranberry bog restoration" to some "cranberry companies" doing mining. DEP is looks the other way while the **industry dredges and fills wetlands and mines in the aquifer and water protection zones, calling this cranberry agriculture.**

The **Healey Administration recently spent \$8 million in taxpayer funds** to renovate the U. Mass Cranberry Station in Wareham to help the very same cranberry growers conducting illegal mining and harming the environment. To fund her January 2023 inaugural party, **Governor Healey accepted the maximum self-imposed donation of \$25,000.00 each from A.D. Makepeace and two of its affiliates,** the Red Brook-Plymouth development and Read Custom Soils. **Is this why the sand and gravel industry is getting away with this?**

Take Action!

The public is fighting back. Help out and sign the [Petition for a Moratorium on Sand Mining](#)

Calendar & Updates

Check out our [calendar](#) and read below to see what is happening and how you can make a difference!

Highlight: Native American Wampanoag People in Southeastern Massachusetts: More sand and gravel mining and solar projects threaten Indigenous rights:

The Town of Wareham's name is "Nepinnee Kekik" which translates to "summer home" in the Wampanoag language. According to the [Wareham Land Trust](#), "Wampanoag people lived in this area during the summer months to fish and have access to waterways, and it remains a part of Wareham culture, as it is used on the town seal along with an image of a Wampanoag canoe." Wareham is one of the towns that are ground zero for sand mining and large industrial solar that often goes hand in hand with mining. **These activities threaten the sovereign rights of the Indigenous Wampanoag people.** At least six more solar projects and three more sand mining proposals are being proposed. Already, Wareham and Carver each have about 19 large ground mounted solar projects. Mining operations have disturbed the land Indigenous rights according to [Tribal leaders](#) and the [Herring Pond Wampanoag Tribe](#). All proposed solar and mining projects described in this newsletter threaten these rights.

WAREHAM

Visit the Wareham [Planning Board website](#) for project information.

Proposed solar projects: A.D. Makepeace Cranberry Co. about 110 acres at 150 Thonet Road and 27 Charge Pond Road

On November 1, 2023, the Conservation Commission granted two of three proposed A.D. Makepeace solar projects a one year extension. The three solar projects (one with a massive mining operation) will obliterate 200 acres of forests and harm wetlands, wildlife and our community character. [Watch the video](#) about saving this land. The projects also require extensions from the Wareham Planning Board. [Watch "Wareham What Have We Done?"](#) to see the destruction caused by Makepeace's solar and mining projects so far.

Proposed solar project: Long Road Energy LLC: sand mining and cranberry bog site, 0 Route 25

Long Road is back with a new plan to clear cut 21 acres of forest for solar. Solar will also be installed on land strip mined recently without a permit. The landowner claims this was cranberry agriculture. [Read about the project here.](#) This project should be denied.

Proposed solar project: BE RE LLC-Rocky Maple Cranberry Co., cranberry bog solar

The Wareham [Conservation Commission denied](#) a wetlands permit for this [1.2 megawatt project in 2021](#). The solar company sued. DEP agreed with the solar company, and the public appealed. The project proposes solar, clear cutting forest, and batteries on cranberry bogs and much of it in the riverfront of the Weewantic River.

Proposed solar project: Fearing Hill Road

The Wareham Conservation Commission [denied](#) the company's wetland permit in November 2022. The solar developer appealed to the MassDEP. The appeal is pending. In the meantime, the [Massachusetts Historical Commission](#) required an archeological survey. The public is demanding complete transparency and challenging "business as usual" by [MHC](#). To date, the MHC has operated behind closed doors, routinely issuing "no impact" findings for solar and sand mining projects.

Proposed solar project: 370 County Road.

[Project info here.](#) The project needs Wareham approvals.

Proposed development on gravel mining site: Squirrel Island Road "Hidden Trails" - Sarajon Realty, John Churchill, JC Engineering

This is a proposed dense residential development on the shores of 30-acre pond created by decades of mining. The pond shore is sand and alleged to be 100-feet deep. [Project info here.](#) The public is asking for hydrology study and hazardous waste investigation. [Watch the Planning Board public hearing here,](#) at minute 1:58 to hear a local resident speak about the sand mining site's dangers, and the health problems of former workers exposed to sand dust.

CARVER

Proposed sand and gravel mining expansion: A.D. Makepeace Cranberry Co., Two Wetlands Permit Appeals

CLWC appealed a wetlands permit issued by the [Carver Conservation Commission](#) to A.D. Makepeace Cranberry Co. to expand its mining operation at [46 Federal Road, Carver](#) by 7 acres and to level a hill for 1.5 million cubic yards of sand and gravel. [Makepeace's consultant C.A.F. Engineering stated in the public hearing that the earth removal was "necessary" to get more sunlight "to make the berries redder."](#) The site is in the heart of A.D. Makepeace's approximately 2 square miles of mining and industrial solar in Carver, Wareham and Plymouth. [Read more about](#) the operations and concerns about [harming the aquifer. Watch the video here.](#) Read the [expert evidence here](#) on impacts to the underground aquifer. Makepeace is also seeking to continue a [217-acre mining operation](#) in the heart of the Pine Barrens on Frogfoot Brook in Plymouth. An [administrative hearing is scheduled at Mass. DEP on December 14](#) and is open to the public in person and on zoom. Read about that [here](#) and attend!

Proposed sand and gravel mining: E.J. Pontiff Cranberry Co.: Wetlands Permit Appeal

CLWC appealed a wetlands permit issued by the Carver Conservation Commission to E.J. Pontiff Cranberry, Inc. [Pontiff seeks to clear-cut 21 acres of forest and level hills to extract about 1.5 million cubic yards of sand and gravel. The company claims is cranberry farming.](#) Pontiff recently bought the 760 acre parcel from Federal Furnace Cranberry Co. Between 2006 and approximately 2022, [Federal Furnace strip mined](#) about 102 acres, extracting at least 2.7 million cubic yards for commercial sale. The landowners installed a large ground mounted solar project on the site including for the strip mined land. The site abuts Myles Standish State Forest.

Ongoing sand and gravel mining: SLT Construction, Spring Street

SLT Construction may reapply to the [Town of Plympton for an earth removal permit](#) to continue the ongoing mining in Plympton. MassDEP rejected SLT's solid waste "Recycling Composting and Conversion" permit until SLT complied with the Massachusetts Environmental Policy Act and the requirement for an environmental impact report. Read more [here](#).

PLYMOUTH

Plymouth Municipal Airport Expansion, South Meadow Road

The Plymouth Airport Commission proposes to expand its Runway 6, build two new hangars and do other construction projects. [Read more on our blog.](#) The project is undergoing a federal and state environmental review. The public has the right to comment on the environmental impacts. **The deadline is December 8, 2023.**

Plymouth Wastewater Treatment Plant, Camelot Park on the Eel River

The Town proposes to almost double the volume of sewage discharged to the Sole Source Aquifer at this location. The project is undergoing a state environmental review. The public has the right to comment on the environmental impacts. **The deadline is December 1, 2023.**

Solar project on cranberry bogs: BE RE LLC of Colorado, dual use solar

Located on a cranberry bog on Water Course Road. The Conservation Commission granted the solar company a 2 year permit extension.

Proposed solar project on cranberry bogs: A.D. Makepeace Cranberry Co.

Makepeace proposes 2 miles of solar on a cranberry bog canal solar at the global biodiversity hot spot in south Plymouth near Frogfoot Brook. The project needs Town approvals.

Proposed residential development: Claremont Plymouth, LLC "Bylaws or Why Laws" campaign

Multiple legal challenges are pending on this development project for 248 units in Colony Place. The **Selectboard violated the Open Meeting Law** by negotiating a secret water deal for Claremont. Recently, CLWC asked MassDEP to require the company to get a wetlands permit before they dredge and alter pond and wetland.

Expansion of residential development: A.D. Makepeace: Red Brook

A.D. Makepeace announced plans to expand the roads and residential development around Deer Pond, a priority habitat for endangered species and ecologically and archaeologically significant area. The Save Deer Pond campaign aims to stop this expansion.

Since 2017, **Makepeace's development has caused rapid, extensive environmental destruction including logging and striping the land down to bare sand.** The special permit from the Town for Red Brook, and under the state Thonet Mixed Use Development approvals, Makepeace was required to develop in a "smart growth" manner and conserve large tracts of land. Today, has not explained the exact location of the conserved land. It has switched from "village center" development in Red Brook to dense apartments and from "smart growth" to industrial solar and sand and gravel mining. The public is asking, **"Where's the Land & Where's the Sand?"** Read more [here](#). Watch YouTube videos of Makepeace's destruction, deforestation and earth removal at [Red Brook here](#).

HALIFAX

Proposed sand and gravel mining: Morse Brothers Cranberry Co. - Rycro Excavating

The Selectboard is holding a public hearing on Nov. 6 on **Morse Brothers Cranberry permit application** for more sand and gravel. The company admits the Halifax Bylaw prohibits the mining operation. Morse has threatened the Town with a legal challenge to invalidate the Bylaw if it refuses to issue a mining permit. Morse claims any such refusal would violate the "Right to Farm" laws.

This mining is in the **Indigenous cultural site of the Whaleback Esker.** This not cranberry agriculture and must be stopped! [Read more here](#) and help the residents of Halifax STOP Morse Cranberry. Please attend November 6th! [Read the blog here](#)

MIDDLEBOROUGH



Lincoln Logistics Warehouse Project

This multinational corporation is proposing a 78-acre industrial warehouse complex, which includes three warehouses with a combined area of 672,800 square feet, 173 loading docks and 679 parking spaces, on pristine contiguous forest, wetlands, streams, and a vernal pool. **This will cause irreversible damage to an iconic Middleboro ecosystem and harm the local neighborhood.** Read our [blog post here](#).

Local residents and supporters are mobilized against this project. We must continue to speak out, stop this project or at least make sure the developer protects our drinking water and natural resources. Check for updates on our [website](#) and get in touch with the Vernon Street group to help out. Read more in Plymouth County [Observer here](#).

BRIDGEWATER

Proposed commercial development on Lake Nippenicket by Claremont Development LLC

Help the citizen's group, Lake Nippenicket Action Focus Team Check out: [LNAET.org](#)

Take Action by Monday, November 6, 2023! Claremont Companies has filed a MEPA Supplementary Draft Environmental Report (DEIR) for a 58.1 acre project known as "Lake Shore Center Phase 4." This is a 58+ acre project located in the Hockmuck Swamp Area of Critical Environmental Concern, on the shores of Lake Nippenicket, a Great Pond, located on the Headwaters of the Town River and in a Zone II Aquifer well-head protection zone for the Town of Raynham. This project involves clear-cutting, and desecration of Indigenous history. Please help this group oppose this destructive project on the shores of a Great Pond. [Use our easy link to send a letter to MEPA today!](#)

SOLAR SITING NEWS:

PROTECTING FORESTS, WATER AND COMMUNITIES

Legislative hearing, November 14, 2023, State House, Boston live and on zoom.

The Joint Committee on Municipalities and Regional Government will hold hearing on the bill, [Senate 1319/ House 2082 An Act regarding Municipal Zoning Powers.](#) This bill if passed will support efforts, by municipalities to ensure large ground mounted solar projects protect our water, forests and communities. This bill updates our state's laws to **address today's challenges with siting large industrial solar and battery storage.**

Add your signature to support [this bill here](#) Ask your state representative and senator to co-sponsor this bill by sending an email here.

Growing Solar, Protecting Nature

A new report from Mass Audubon and Harvard Forest addresses longstanding public concerns about the impact of large ground mounted solar on forests, farmland and open space. **Over 5,000 acres of forest and farmland have been lost to date for large ground mounted solar installations.** Deforestation for solar projects undermines efforts to address climate change. The study concludes that we can build solar and preserve our natural and working lands.

CONNECT WITH US!

VOLUNTEER

CLWC has many opportunities to get involved! Our grassroots campaign relies on volunteers and everyone's welcome. Opportunities include letter writing, signing a petition, staffing an information table at events, organizing in your community, and speaking at meetings. Email environmentwatchsoutheasternma@gmail.com

Click [here to donate.](#)

Click [here](#) to become a member and sign up for our newsletter.
Post Office Box 1699, Plymouth MA 02362. CLWC is a project of Save the Pine Barrens, Inc., a non-profit. CLWC's mission is to protect, preserve and steward the land and water resources of Southeastern Massachusetts.

View this email in your browser
P.O. Box 1699
Plymouth MA 02362
Tel. 508-591-5522

CLWC is a project of Save the Pine Barrens, Inc., a non-profit corporation.
CLWC's mission is to protect, preserve and steward the land and water resources of Southeastern Massachusetts.

Copyright (C) All rights reserved. 2023
Want to change how you receive these emails?
You can update your preferences or unsubscribe